

KEVIN V. RYAN (CSBN 118321)
United States Attorney
EUMI L. CHOI (WVBN 0722)
Chief, Criminal Division
CYNTHIA STIER (DCBN 423256)
Assistant United States Attorney
450 Golden Gate Avenue, 11th Floor
San Francisco, California 94102
Telephone: (415) 436-7000
Facsimile: (415) 436-6748
cynthia.stier@usdoj.gov
Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 RODERICK ALYN PRESCOTT,)
)
 Defendant.)

No. CR-05-00216-WHA

~~Proposed~~ SPEEDY TRIAL ORDER

On June 29, 2005, defendant Roderick Alyn Prescott was charged in a Superseding Indictment with two counts of tax evasion in violation of 26 U.S.C. § 7201, and one count of conspiracy to defraud the United States in violation of 18 U.S.C. § 371. Mr. Prescott was arraigned on August 16, 2005.

The parties previously appeared before the Court on August 16, 2005, for a status conference. That matter was set over to October 4, 2005. By prior Order entered August 23, 2005, the Court excluded time from August 16, 2005, through October 4, 2005, under the Speedy Trial Act due to the complexity of the case and for the continuity and effective preparation of counsel pursuant to 18 U.S.C. § 3161(h)(8)(A) & (B)(ii) and (iv).

The parties appeared before the Court on October 4, 2005, for a status conference. During the hearing, the Court set November 22, 2005, at 2:00 p.m as the date and time when defendant Prescott's pretrial motions shall be heard. The defendant Prescott shall file his pretrial motions on or before October 25, 2005. The United States, defendant Prescott and his attorney, agree that the time between October 4, 2005, and October 25, 2005, is properly excludable under

1 the Speedy Trial Act due to the complexity of the case and for the continuity and effective
2 preparation of counsel pursuant to 18 U.S.C. § 3161(h)(8)(A) & (B)(ii) and (iv) and that the ends
3 of justice to be served in excluding the time between these dates outweighs the public's and Mr.
4 Prescott's interest in a speedy trial.

5 IT IS HEREBY ORDERED that the time from October 4, 2005, through October 25, 2005, is
6 excluded under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(8)(A) & (B)(ii) and (iv),
7 based on the reasons set forth above.

8
9 Dated: October 11, 2005

10 HONORABLE
11 United States District Judge

